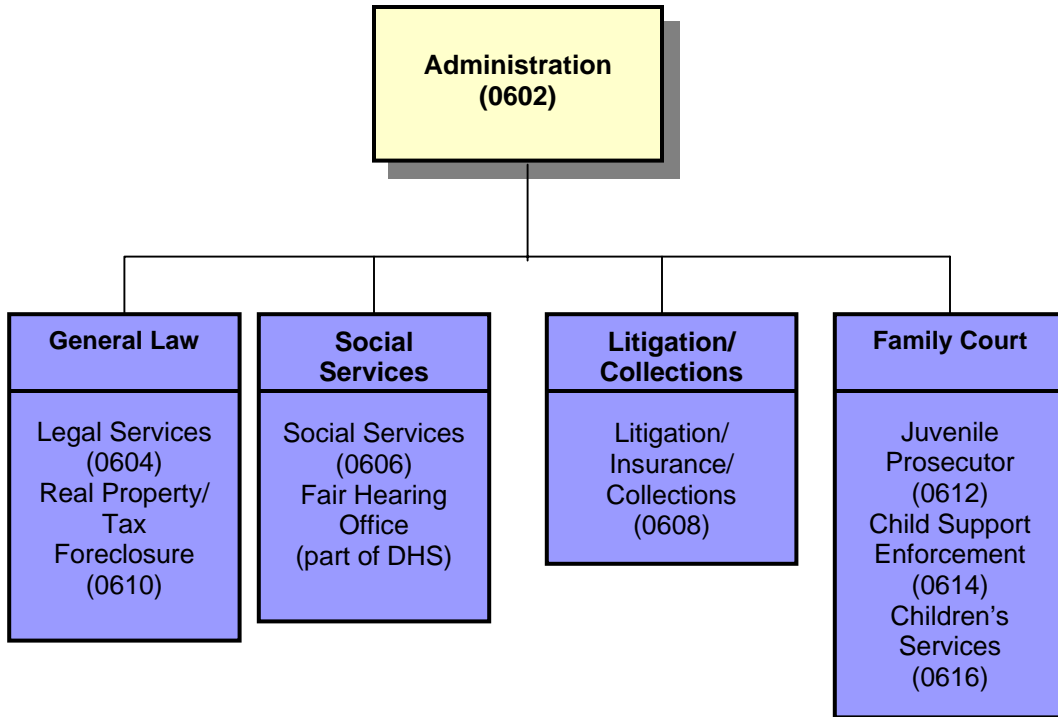
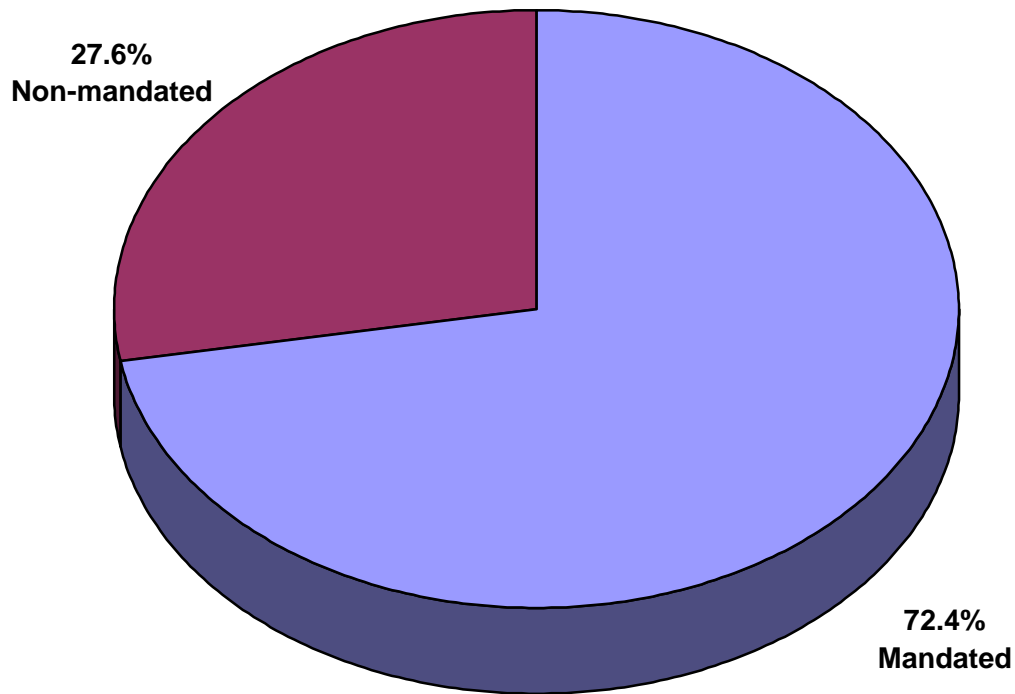


LAW (006)



LAW

2006 MANDATED/NON-MANDATED



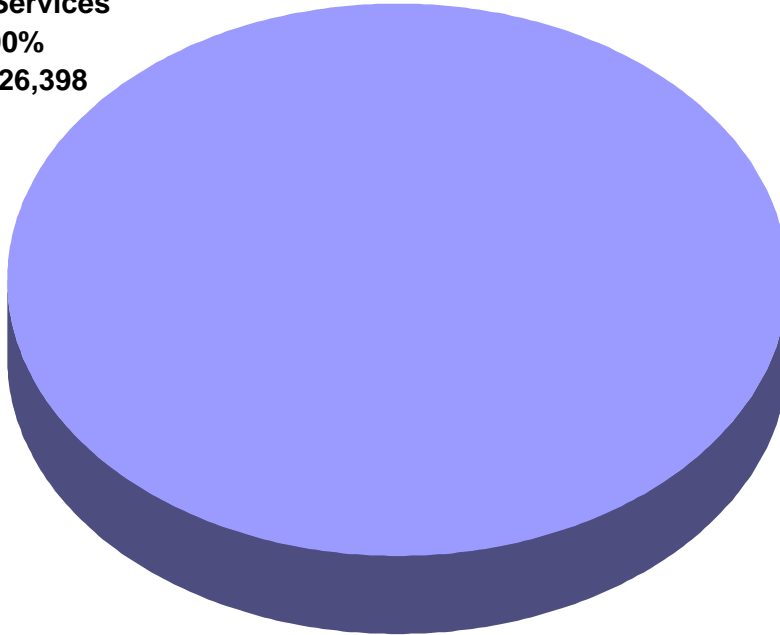
State law mandates that Monroe County provides legal services in all aspects of Social Services, ranging from Medicaid and Public Assistance to all child welfare matters including Family Court, Foster Care and the Child Support Enforcement Unit.

The non-mandated portion of the Law Department provides legal services in the areas of General Law, Litigation, Real Property/Tax Foreclosure and the Juvenile Prosecutor's Office.

LAW

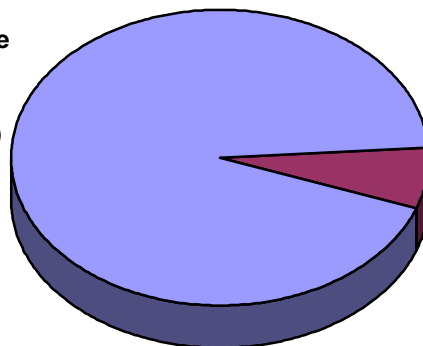
2006 Budget - \$10,026,398

Legal Services
100%
\$10,026,398



Net County Support

Attributable
Revenue
93.3%
\$9,352,829



Net County
Support
6.7%
\$673,569

DEPARTMENT: Law (006)

DEPARTMENT DESCRIPTION

The Monroe County Law Department provides to county departments and residents high quality legal representation and counsel that are of value to the community at large. These services meet client and public needs, are delivered expeditiously and inspire client and public confidence.

Mission

The Law Department shall deliver responsive, efficient, effective legal representation and counsel to county departments and residents, in order to assist in providing the highest return to the community on their investment. The Law Department provides quality legal services to enable Monroe County government to assure a safe, healthy, prosperous and stimulating environment which results in a world class place to live, work and enjoy life.

2005 Major Accomplishments

- Developed a set of standard provisions for Request For Proposal (RFP) for the Planning and Information Services Departments
- Developed a process, procedure and checklist for departments to directly handle standard Freedom of Information Law (FOIL) requests from prospective contractors for bid specifications, award letters and extension of contract awards for prior contracts
- Prepared a county-wide procurement policy and procedure for all goods and services, regardless of the required method of procurement
- Developed and implemented a plan for the decentralization of the Fair Hearing Office
- Implemented policies and procedures and assisted in supervision of the newly formed Supplemental Security Income (SSI) Advocacy Office
- School Nurse Litigation – received affirmance on appeal of lower court denial of City School District claim
- Successfully prosecuted more than 900 Juvenile Delinquency cases
- Prepared all appeals in Persons in Need of Supervision (PINS) and Juvenile Delinquency Cases
- Child Support Enforcement Unit (CSEU) received an award from NYS for most improved paternity establishment rate for a large urban community
- Set up toll-free Child Support Helpline to improve customer service
- Medical support execution process secured private health insurance coverage for more than 1,200 children formerly on Medicaid – an average savings to the taxpayers of \$1,800 per child
- Accomplished, with the assistance of Family Court Judges and staff, the full utilization of Office of Court Administration mandated forms that assure procedural and substantive compliance with Adoption and Safe Families Act requirements to secure full federal reimbursement for foster care costs

2006 Major Objectives

- Expand the development of procedures and checklists for departments to directly handle standard FOIL requests
- Complete the decentralization of the Fair Hearing Office and implement policies and procedures to significantly reduce case backlogs

- Install DAMION Prosecutor, a state of the art case management software system that will automate the division's legal and administrative operations and greatly improve the division's ability to enter data, retrieve information and generate documents
- Maintain paternity and support establishment rates in excess of federal goals
- Pilot electronic filing of Child Support petitions in Family Court
- Streamline filing of petitions seeking court-imposed suspension of professional and business licenses of delinquent obligators
- Develop effective strategies in conjunction with Child Protective Services to address increased participation in the Family Court Model Court Project, and work with Family Court to expand the utilization of the case-conferencing model to all courtrooms where Family Court Act Article 10 abuse and neglect cases are heard
- Develop attorney protocols and procedures to facilitate anticipated increase in participation in the collaborative planning process offered by the Monroe County Permanency Mediation Program, thus achieving more timely permanency for children through participation in voluntary mediation in child welfare cases

BUDGET SUMMARY

	Amended Budget 2005	Budget 2006
<u>Appropriations</u>		
Personal Services	6,702,175	6,754,203
Expenses	406,429	465,437
Supplies and Materials	37,300	37,100
Employee Benefits	1,993,848	1,684,297
Interfund Transfers	1,095,989	1,085,361
Total	10,235,741	10,026,398
<u>Revenue</u>		
Charges to Social Services	2,314,566	2,220,622
Charges to Insurance	538,000	538,000
Charges to Other Departments	993,808	994,808
Charges to Authorities	200,000	205,000
Hotel Room Occupancy Tax	13,750	13,750
Transfer from Capital Fund	117,000	117,000
Federal Aid	4,576,137	4,299,262
State Aid	997,987	926,672
Other Revenue	0	37,715
Total	9,751,248	9,352,829
<u>Net County Support</u>	484,493	673,569

DIVISION DESCRIPTIONS

Administration (0602)

The County Attorney directs the activities of all divisions of the Law Department, develops policies and procedures and supervises the staff. Administrative support staff perform personnel/payroll, budgetary and office management functions.

General Law - Legal Services (0604)

The goal of this division is to provide legal advice and analysis and litigation support to the County Executive; all county departments and offices; the County Legislature and all bodies created or authorized by the County Legislature; all county officers and employees on county related matters in order to support county operations. This division also renders legal opinions; drafts state and local legislation; reviews legislative communications; drafts and reviews contracts, specifications and other legal documents; and is responsible for special legal projects.

General Law - Social Services (0606)

The goals of this division are: 1) to provide professional legal representation to Social Services in order to advocate within the confines of the law, for results that maximize the delivery of their services, i.e. public assistance, Medicaid, conservatorships; at the lowest cost; and 2) to maximize the collection of monies owed Social Services at the lowest cost. Outcome measures include the decrease in the percentage of lawsuits brought against Social Services that result from allegations that Social Services violated the law.

Litigation/Insurance/Collections (0608)

The goal of this division is to provide litigation, collection and insurance services to the County of Monroe and all its officers and employees in litigation matters, in order to maximize recoveries and minimize payments. This division also represents the county in human rights cases and administrative hearings. The division is also responsible for administering the county's self-insurance program and procures insurance coverage in those areas for which the county is not self-insured. Outcome measures include the percentage of cases concluded within reserved values.

Real Property Transactions/Tax Foreclosure (0610)

This division is responsible for all real property transactions involving the county. These transactions include acquisition of real property, sale of real property, easements, negotiation and drafting of leases involving the county and condemnation actions for the acquisition by the county of interests in real property. This division also conducts all tax foreclosure actions.

Family Court - Juvenile Prosecutor's Office (0612)

The Juvenile Prosecutor's Office is responsible for prosecuting youth under the age of 16 who commit an act that would constitute a crime if committed by an adult. The goals of this division are to protect the community, address the needs of crime victims, hold delinquent youth accountable for their actions, and develop the competencies of delinquent youth in an effort to reduce their risk of re-offending. In addition to prosecuting juvenile delinquency cases, the JPO attorneys present evidence in violation of probation cases, assist crime victims, provide advice to law enforcement agencies and appear as required in Juvenile Drug Treatment Court and Domestic Violence Court. The JPO attorneys also have a strong presence in the community, contributing to the planning and implementation of strategies to reduce juvenile crime. Outcome measures include the percentage of petitions filed that result in successful prosecution.

Family Court - Child Support Enforcement Unit (0614)

The goals of this division are; 1) to collect legally appropriate support obligations in order maximize the dollars available to children and Social Services; and 2) to establish paternity for out-of-wedlock children in order to provide financial support for children. This division represents Social Services or custodial parents, by statute and contract, on support petitions, reciprocal support petitions and paternity petitions to enforce the collection of child support payments. Outcome measures include the percentage of cases resulting in support collections and the percentage of cases for which paternity is established.

Family Court - Children's Services (0616)

The goal of this division is to provide legal services to Social Services on all child welfare matters to protect the children of Monroe County. This division provides legal support in matters before the Family Court seeking relief on behalf of children who have been the victims of abuse or neglect. They also review the status of children voluntarily placed in foster care and termination of parental rights through guardianship actions or surrenders; appear in juvenile delinquency and Persons in Need of Supervision (PINS) proceedings affecting Social Services; advise Social Services staff in non-support matters affecting children; represent Social Services in administrative fair hearings regarding child protective, foster care and day care issues; and prosecutes and defends appeals. Outcome measures include the percentage of successful representations and percentage of cases maintaining federal funding.

Performance Measures

	Actual 2004	Est. 2005	Est. 2006
General Legal Services			
Contracts Prepared/Reviewed	714	750	800
Change Orders Prepared/Reviewed	185	200	230
Bid Specifications Reviewed	23	25	30
Freedom of Information Requests Reviewed	781	800	850
SEQR Reviews	76	80	80
Sole Source Designations	2	5	5
Home Improvement Loans	27	30	30
Real Estate Files	191	200	200
General Social Services			
Lawsuits Defended	4	6	6
% Cases Dismissed/Settled Favorable to DHS	75%	100%	100%
Written Opinions Issued	52	60	70
% Inquiries Responded to within 14 days	100%	100%	100%
Claims Pursued	65	75	100
Dollars Collected	\$386,381	\$400,000	\$500,000
Litigation/Collections			
New Matters Processed:			
Collection	122	120	120
Bankruptcy	183	180	180
Amount Collected:			
Bankruptcy	\$203,840	\$205,000	\$205,000
Insurance	\$166,994	\$170,000	\$170,000
Number of Judgements Entered In Uncollected Cases over \$2,000	3	4	4
Average Collection per Case			
Collection	\$1,912.96	\$1,912.96	\$1,912.96
Bankruptcy	\$162.12	\$162.12	\$162.12
Number of Claims Concluded	132	135	140
% Routine Claims Settled/Denied within 90 Days	79%	80%	80%
Insurance Advice Rendered	88	88	90
% Cases Having Reserve Values Established	100%	100%	100%
Number of Cases Resolved by:			
Denied	128	128	128
Dismissed by Court Order	20	20	20
Resolved by 3 rd Party Insurer	8	8	8
Resolved by Settlement	40	40	40
Cases Closed (s/l expired / not sued)	44	44	44
Other	20	20	20

	Actual 2004	Est. 2005	Est. 2006
% Case Reserves Est within 90 Days of Lawsuit	100%	100%	100%
% Cases Concluded within Reserve Value	98%	98%	98%
Juvenile Prosecutor's Office			
Number of Cases Referred	694	636	675
Number of Cases Carried from Prior Year	340	311	325
Number of PINS Cases Referred	19	18	20
Number of PINS Carried from Prior Year	1	2	2
Probation Violations Referred	153	102	125
Probation Violations Carried from Prior Year	55	50	50
Court Action Taken:			
Juvenile Delinquency Petitions Filed	971	902	950
Number of Trials	83	60	75
Number of Dispositional Hearings	97	76	85
Violation of Probation Hearings	12	12	12
Dispositions:			
Cases Closed	919	840	850
Number of Youth Placed with OCFS	176	196	175
Number of Youth Placed with DHS	32	12	20
Number of Youth Placed on Probation	177	176	190
Cases Dismissed with Consent of Prosecutor	178	216	200
Cases Dismissed without Consent of Prosecutor	9	8	8
Child Support Cases			
New DHS Referrals Established	2,635	2,350	2,400
New Private Cases Established	1,570	1,630	1,650
Paternities Established	2,338	2,400	2,500
DHS Collections	\$8.1M	\$7.8M	\$7.6M
Private Collections	\$52M	\$54M	\$56M
Percent of Orders with Medical Insurance	53%	58%	63%
Paternity Establishment Percentage	90.4%	92%	92%
Support Establishment Percentage	82.3%	84%	85%
Children's Services			
Documents Prepared and Filed	1,725	1,750	1,800
Number of Appeals Records Prepared	9	9	10
Number of Appeals Briefs Filed	10	10	10
% Appeals Resulting in Favorable Outcome	85%	90%	90%
Number of Fair Hearings	334	350	350
% Fair Hearings Affirmed	85%	90%	90%
Adoption Surrenders Taken	96	120	120